

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

|                             |   |                       |
|-----------------------------|---|-----------------------|
| TIAR McCART,                | ) | CIVIL ACTION NO.      |
|                             | ) | 1:21-cv-04247-CAP-LTW |
| Plaintiff,                  | ) |                       |
|                             | ) | JURY TRIAL DEMANDED   |
| v.                          | ) |                       |
|                             | ) |                       |
| EQUITY PRIME MORTGAGE, LLC. | ) |                       |
| AND MARK MOLOUGHNEY         | ) |                       |
| in his Individual Capacity, | ) |                       |
|                             | ) |                       |
| Defendants.                 | ) |                       |

**AMENDED NOTICE OF DEPOSITION OF EDDY PEREZ**

Please take notice that on Tuesday, June 25, 2024, beginning at 12:00 p.m. EST, Plaintiff's counsel will take the deposition of Eddy Perez. The deposition will be taken by Plaintiff's counsel before an officer duly authorized by law to take depositions. The deposition will be recorded by stenographic means and/or videotape. The deposition will continue from day to day until its completion.

The remote deposition will be coordinated by Veritext Legal Solutions, with a business address of 1075 Peachtree Street, Suite 3625, Atlanta, Georgia 30309. Contact Veritext's calendar team at [calendar-ga@veritext.com](mailto:calendar-ga@veritext.com) to retrieve the necessary credentials to access the remote deposition, as well as information related to any technical assistance you may require for carrying out the virtual deposition.

The deponent and all persons taking the deposition, defending the deposition, or questioning the deponent at the deposition must appear by videoconference utilizing a computer, laptop, smart phone, or tablet equipped with both a microphone and a camera. Those who wish to appear in the physical presence of another do so at their own election; however, this noticing party is not requiring the in-person physical attendance of counsel, the witness or any other party to this action. The deposition will be taken, via remote means, before an officer authorized to administer the oath to the deponent. That officer will be remote from the deponent. The deposition may be videotaped.

**NOTICE IS FURTHER GIVEN** that we reserve the right to conduct this deposition utilizing the secure web-based deposition option afforded by Veritext or in the alternative video teleconferencing (VTC) services to provide remote/virtual access for those parties wishing to participate in the deposition via the internet. Also take notice that we reserve the right to record the deposition either by stenographic means by a court reporter certified to record depositions or a digital reporter utilizing state-of-the-art digital recording equipment. Both the court reporter and digital reporter are authorized to administer the oath and serve as the deposition officer in the State of Georgia. Take note that the deposition officer will also be remote and out of the presence of the deponent via one of the options above for the purposes of providing the oath/affirmation to the deponent and capturing the proceeding. We

further reserve the right to utilize the following: (1) Record the deposition utilizing audio or video technology; (2) Instant visual display such that the reporter's writing of the proceeding will be available to all who are a party to this proceeding to request and receive it in realtime; (3) Exhibit Capture (picture-in-picture) technology in which any exhibit reviewed by the deponent during the deposition can be captured visually; and (4) To conduct this deposition utilizing a paperless exhibit display process called Exhibit Share or a similar paperless virtual display platform. The parties are advised that in lieu of a paper set of exhibits they may be provided and displayed digitally to the deposition officer, deponent, parties and counsel. The exhibits will be compiled by the deposition officer for the purposes of exhibit stamping, and ultimate production of the final certified transcript.

You will be contacted in advance of the deposition by Veritext with the necessary credentials, login information, and information relating to the remote exhibit technology.

Pursuant to Rule 32 of the Federal Rules of Civil Procedure, notice is hereby given that the Plaintiff may introduce the deposition testimony of the deponent at trial.

Submitted this 18th day of June 2024.

LEGARE, ATTWOOD & WOLFE, LLC

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Counsel for Plaintiff

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 18, 2024, I electronically filed the foregoing **AMENDED NOTICE OF DEPOSITION OF EDDY PEREZ** with the Clerk of Court using the Court's CM/ECF electronic filing system which will automatically send email notification of such filing to all attorneys of record:

Brent L. Wilson: [bwilson@elarbeethompson.com](mailto:bwilson@elarbeethompson.com)  
Shannon L. Smith: [smith@elarbeethompson.com](mailto:smith@elarbeethompson.com)

**LEGARE, ATTWOOD & WOLFE, LLC**

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